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TIME:
HON. WILLIAM J. MARTINI, U.S.D.J.

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April 15, 2011

VIA FEDEX

Hon. William J. Martini
Martin Luther King, Jr. Federal Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Tex Pat, LLC v. Becton, Dickinson & Co., No. 2:11-cv-02068-WJM –MF

Dear Judge Martini:

We represent Becton, Dickinson and Company (“BD”), in the above-referenced matter. We write in an effort to prevent the unnecessary waste of judicial resources and to apprise the Court of a dispositive case event. Plaintiff joins in this letter.

On April 12, 2011, this matter was transferred to your Court from the Eastern District of Texas. Prior to that transfer, the parties agreed and stipulated to dismiss this case with prejudice. (D.I. 44). The Honorable Judge David Folsom of the Eastern District of Texas signed and entered the Order of Dismissal on April 5, 2011. We attach a copy of the Order with this letter for the Court’s convenience. The Order of Dismissal was not transferred with the case docket. There being no further dispute, we respectfully request that this Court enter the Order of Dismissal and close the matter.

We thank the Court for its consideration of this matter. I am available at the Court’s convenience to address this matter further, at the above contact information.

Respectfully submitted,

Michael P. Kahn

Attachment: Order of Dismissal with Prejudice

cc: Hon. Magistrate Judge Mark Falk
Hao Ni, Esq. (counsel for Tex Pat, LLC)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

Tex Pat, LLC,
Relator,

v.

Becton, Dickinson and Company, et al.,
Defendants.

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Civil Action No. 5:10-cv-00123
JURY TRIAL DEMANDED

ORDER OF DISMISSAL WITH PREJUDICE

In consideration of the parties' Stipulated Motion for Dismissal of all claims brought by the Relator Tex Pat, LLC ("Tex Pat") against Defendant Becton, Dickinson and Company ("Defendant"), the Stipulated Motion for Dismissal is GRANTED, and it is ORDERED, ADJUDGED AND DECREED that all claims asserted in this suit by Plaintiff against Defendants are hereby dismissed with prejudice.

It is further ORDERED that all attorneys' fees and costs are to be borne by the party that incurred them.

SIGNED this 5th day of April, 2011.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE